

December 29, 2021

VIA ECF

The Hon. Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *The Export-Import Bank of the Republic of China v. Republic of the Congo*,
Case No. 16-cv-4480 (JMF)

Dear Judge Furman:

We represent the Export Import Bank of the Republic of China (“Ex-Im Bank”), judgment creditor in this matter.

On October 29, 2020, this Court issued its opinion and order granting Ex-Im Bank’s motion for sanctions (ECF No. 64; the “Order”). In the Order, the Court directed Ex-Im Bank to file a status letter with this Court every two months describing what sanctions had accrued, providing information on any contact or communications with the Democratic Republic of the Congo (“the DRC”) regarding the dispute, and stating whether Ex-Im Bank believed that the sanctions ordered should be revisited or modified.

This letter is the status letter required for December 29, 2021. The next status letter will be submitted on Monday, February 28, 2022.

Unfortunately there is no meaningful progress to report since our last status letter of October 29, 2021.

In that letter, we reported on a meeting with the new DRC Minister of Justice, the Hon. Rose Mutombo. That was a hopeful development, but we have heard nothing back from her despite followup communications after the meeting. Ms. Benita Kindongo, who represents the DRC, has not had any additional information to report to us.

Our efforts to discover collectible assets continue, through the discovery mechanisms available to us. We believe the sanctions regime should also continue. We are not at this time seeking an enhancement of the sanctions.

As of our October 29, 2021 letter, sanctions stood at \$3,071,296. Sixty one days have passed since then, with sanctions accumulating at \$11,428 per day, for an additional \$685,680, and thus a total as of today of \$3,768,404 in sanctions.

At this time, Ex-Im Bank seeks no change to the terms of the Order.

We shall report once again on February 28, 2022, or sooner, if there are developments of any significance.

As always, of course, we stand ready to provide any further information that the Court may desire.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'PS' followed by a long, sweeping horizontal line.

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cc: Benita Kindongo, Esq.